

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
MASANORI KAWASHIMA) : Examiner: H. El Chanti
Application No.: 09/817,300) : Group Art Unit: 2157
Filed: March 27, 2001) :
For: NETWORK MANAGEMENT)
METHOD FOR PROVIDING :
DEVICE LIST AND)
NETWORK MANAGEMENT :
DEVICE TO PROVIDE)
DEVICE LIST : August 27, 2008

Mail Stop 313(c)
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION TO WITHDRAW APPLICATION FROM
ISSUE UNDER 37 C.F.R. §1.313(c)(2) -ISSUE FEE PAID

Sir:

Applicant hereby petitions the Commissioner pursuant to 37 C.F.R. § 1.313 to withdraw the above-identified application from issue, the issue fee having previously been paid on August 8, 2008.

A Request for Continued Examination (RCE) pursuant to 37 C.F.R. § 1.114 is submitted concurrently herewith, together with a Preliminary Amendment. In accordance with § 1.313(c), Applicant submits that withdrawal of this application from issue is necessary for the Examiner to determine the patentability of the allowed claims. Specifically, it is believed that the allowed claims are unpatentable under 35 U.S.C. § 112,

second paragraph due to ambiguities in the claims. The claims have been amended as set forth in the accompanying Preliminary Amendment to address these ambiguities and as a result of the amendments, the claims are believed to be patentable and in full compliance with § 112.

The petition fee of \$130.00, set forth in 37 C.F.R. § 1.17(h), together with the requisite RCE fee, are being charged to Deposit Account 50-3939. The Commissioner is authorized to charge any additional fee in connection with the present Petition, or credit any overpayment, to Deposit Account 06-1205.

Applicant's undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

/Edward Kmett/

Attorney for Applicant
Edward A. Kmett
Registration No. 42,746

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-2200
Facsimile: (212) 218-2200